

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LUIS ALBERTO ALICEA	:	CIVIL ACTION
	:	
v.	:	No. 02-8432
	:	
JOHN McCULLOUGH, ET AL.	:	

ORDER

AND NOW, this 14th day of February, 2006, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus, the Supplemental Report and Recommendation filed by United States Magistrate Judge M. Faith Angell, and the petitioner's objections, and after a thorough and independent review of the record, it is **ORDERED** that:

- 1) The Supplemental Report and Recommendation of Magistrate Judge Angell is **APPROVED** and **ADOPTED**;
- 2) The Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED**; and,
- 3) There is no probable cause to issue a certificate of appealability.

s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.